

**MINUTES OF THE WARREN TOWNSHIP COMMITTEE
FEBRUARY 20, 2014**

REGULAR MEETING

The Township Committee of the Township of Warren, County of Somerset, State of New Jersey, convened in Public Session on Thursday, February 20, 2014 at 6:35 p.m. in the Susie B. Boyce Meeting Room, 44 Mountain Boulevard, Warren, New Jersey.

Mayor DiNardo read the following notice:

“In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting was provided on January 9, 2014 by sending written notices to the Echoes Sentinel and Courier News, posting on the Bulletin Board in the Municipal Building and filing with the Township Clerk”.

“This meeting is to be taped for broadcast on the Access Channel and everyone is required to comply with the policies and procedures governing access programming for the Access Channel. No mention of political affiliation or political advertising shall take place at this meeting or it will be deleted from any rebroadcast of the meeting.”

On call of the roll, the following Committee members were present:

Mr. Lazo
Mr. Marion
Mr. Sordillo
Mrs. Garafola
Mayor DiNardo

Also Present: Mark M. Krane, Township Administrator
Patricia A. DiRocco, Township Clerk
Jeffrey Lehrer, Township Attorney

Mr. Lazo introduced and read resolution No. 2014-52, seconded by Mr. Marion and carried by unanimous voice vote.

WHEREAS, the Open Public Meetings Act, P.L.1975 Chapter 231 permits the exclusion of the public from meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

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WHEREAS, the Governing Body wishes to discuss:

Property Acquisition - Block 53, Lot 2
Personnel – Police Officer Interview

WHEREAS, when and if the matters discussed become public record, this will be made known to the public at that time;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Warren, that the public is excluded from this Meeting;

FURTHER RESOLVED, that formal action may be taken upon reconvening to Public Session.

The meeting convened in Executive Session at 6:35 p.m.

The meeting reconvened to Public Session at 7:15 p.m.

Mayor DiNardo led all in the Pledge of Allegiance.

Mrs. Garafola introduced Ordinance No. 14-01 by title for second reading/adoption and read the following:

AN ORDINANCE AUTHORIZING THE AMOUNT OF \$35,000 AS AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FUNDING FOR ENVIRONMENTAL ENGINEERING SERVICES RELATIVE TO MATTERS INVOLVING THE REMOVAL OF UNDERGROUND STORAGE TANKS AT THE DEPARTMENT OF PUBLIC WORKS

Mayor DiNardo opened the Public Hearing on Ordinance No. 14-01. No one wished to speak and the hearing was closed.

On motion of Mrs. Garafola, second of Mr. Sordillo, Ordinance No. 14-01 was adopted. The roll call vote was unanimous.

Mr. Marion introduced Ordinance No. 14-02 by title for second reading/adoption and read the following:

AN ORDINANCE AUTHORIZING A TEMPORARY ACCESS EASEMENT AGREEMENT TO CUMBERLAND FARMS TO ACCESS THE RIGHT-OF-WAY ON COMMUNITY PLACE TO INSTALL MONITORING WELLS

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Mayor DiNardo opened the Public Hearing on Ordinance No. 14-02. No one wished to speak and the hearing was closed.

On motion of Mr. Marion, second of Mr. Lazo, Ordinance No. 14-02 was adopted. The roll call vote was unanimous.

Mr. Sordillo introduced Ordinance No. 14-03 by title for second reading/adoption and read the following:

AN ORDINANCE AUTHORIZING EXECUTION OF A MINOR SUBDIVISION DEED FOR BLOCK 201, LOT 2 AND A BARGAIN & SALE DEED FOR BLOCK 201, LOT 2.01 TO THE WARREN TOWNSHIP BOARD OF EDUCATION

Mayor DiNardo opened the Public Hearing on Ordinance No. 14-03. No one wished to speak and the hearing was closed.

On motion of Mr. Sordillo, second of Mrs. Garafola, Ordinance No. 14-03 was adopted. The roll call vote was unanimous.

Mr. Lazo introduced Ordinance No. 14-04 by title for second reading/adoption and read the following:

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER XVI ENTITLED "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN AS HERETOFORE SUPPLEMENTED AND AMENDED BY AMENDING SECTION 16-15 ENTITLED "NB-BUSINESS DISTRICT" BY ESTABLISHING THE HNB-HISTORIC NEIGHBORHOOD BUSINESS DISTRICT.

Ms. DiRocco stated that this ordinance was referred to the Planning Board for review and recommendation. At a Planning Board meeting of February 10, 2014, the Board determined that this ordinance is not inconsistent with any provisions of the Master Plan.

Mayor DiNardo opened the Public Hearing on Ordinance No. 14-04.

Mr. Varma, owner of the King George Inn property, stated that he opposes the Ordinance, as he concerned as to whether he would be able to tear down the building that is in very poor condition structurally. Mr. Lehrer informed him that the ordinance does not preclude that. Design standards are the issue and need to be complied with. The Township's goal is to keep the rural character of the town. Mr. Varma stated that he was considering a mixed, village style retail use with

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residential on the second floor. He will have discussions with the Township Planner and Township Officials to determine the best use of the property.

The Public Hearing was closed, as no one else wished to speak about this ordinance.

On motion of Mr. Lazo, second of Mrs. Garafola, Ordinance No. 14-04 was adopted. The roll call vote was unanimous.

On motion of Mr. Marion, second of Mrs. Garafola, the Regular Session meeting minutes of January 23, 2014 were approved. The roll call vote was unanimous.

Mayor DiNardo opened the Comments on Agenda Items portion of the meeting. No one wished to speak and this portion was closed.

Mrs. Garafola introduced and read Resolution No. 2014-53 for the payment of bills, seconded by Mr. DiNardo. The roll call vote was unanimous.

Resolution No. 2014-53 is appended to the official minutes.

Mr. Marion introduced Ordinance No. 14-05 by title for first reading and read the following:

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$4,750,000 FOR THE CONSTRUCTION OF A MUNICIPAL BUILDING FOR AND BY THE TOWNSHIP OF WARREN IN THE COUNTY OF SOMERSET, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$4,500,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Ms. DiRocco stated that this ordinance was forwarded to the Division of Local Government Services electronically and a copy is filed in the Township Clerk's office. The Statutory requirement has been fulfilled.

On motion of Mr. Marion, second of Mrs. Garafola, Ordinance No. 14-05 was passed on first reading. The roll call vote was unanimous.

Mr. Sordillo introduced Ordinance No. 14-06 by title for first reading and read the following:

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AN ORDINANCE AMENDING CHAPTER XVII ENTITLED "TREE REMOVAL/REPLACEMENT" BY AMENDING AND SUPPLEMENTING SECTION 17-4 ENTITLED "EXCEPTIONS AND EXEMPTIONS FROM THE FILING OF A TREE REMOVAL/REPLACEMENT PLAN

On motion of Mr. Sordillo, second of Mr. Marion, Ordinance No. 14-06 was passed on first reading. The roll call vote was unanimous.

Mr. Lazo introduced Ordinance No. 14-07 by title for first reading and read the following:

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER III ENTITLED "GENERAL POLICE REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN AS HERETOFORE SUPPLEMENTED AND AMENDED BY ADDING NEW SECTION 3-28 ENTITLED "UNFIT BUILDINGS".

On motion of Mr. Lazo, second of Mr. Marion, Ordinance No. 14-07 was passed on first reading. The roll call vote was unanimous.

On motion of Mrs. Garafola, second of Mr. Marion, the following Consent Agenda Resolutions were approved, carried by unanimous roll call vote:

- 2014-54 AUTHORIZING BUDGET TRANSFERS IN THE AMOUNT OF \$69,000 IN THE 2013 RESERVE BUDGET
- 2014-55 CANCELING UNEXPENDED AND UNENCUMBERED BALANCE IN STREETS AND ROADS OE TO THE DEDICATED TRUST RESERVE FOR SNOW REMOVAL
- 2014-56 ESTABLISHING TEMPORARY CAPITAL BUDGET
- 2014-57 AWARD OF PROFESSIONAL SERVICE CONTRACT TO QUEST ENVIRONMENTAL & ENGINEERING SERVICES, INC FOR EVALUATION SERVICES FOR UNDERGROUND STORAGE TANKS AT DPW
- 2014-58 RELEASE OF PERFORMANCE BOND - STREET OPENING PERMIT #2013-59

- 2014-59 AMENDING 2014 TEMPORARY BUDGET
- 2014-60 AUTHORIZING THE MAYOR TO EXECUTE MAINTENACE AGREEMENT FOR THE UPPER PORTION OF THE MOUNT BETHEL CEMETERY
- 2014-61 AUTHORIZING AN EXTENSION OF TIME TO COMPLETE IMPROVEMENTS ON LOT 37.01, BLOCK 71 AND AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF WARREN AND MT. BETHEL, INC.
- 2014-62 AUTHORIZING WATCHUNG HILLS MUNICIPAL ALLIANCE FISCAL GRANT EXTENSION JANUARY 1, 2014 TO JUNE 30, 2014 COUNTY OF MORRIS
- 2014-63 AUTHORIZING SUBMISSION OF WATCHUNG HILLS MUNICIPAL ALLIANCE GRANT FUNDING THROUGH MORRIS COUNTY FOR FISCAL YEAR PERIOD JULY 1, 2014 – JUNE 30, 2015
- 2014-64 AUTHORIZING SUBMISSION OF WATCHUNG HILLS MUNICIPAL ALLIANCE GRANT FUNDING THROUGH SOMERSET COUNTY FOR FISCAL YEAR PERIOD JULY 1, 2014 – JUNE 30, 2015
- 2014-65 AUTHORIZING THE TOWNSHIP COMMITTEE TO ADOPT AN ORDINANCE AUTHORIZING THE REPAIR, CLOSING OR DEMOLITION OF BUILDINGS WHICH ARE UNFIT FOR HUMAN HABITATION, OCCUPANCY OR USE
- 2014-66 AUTHORIZING FILING OF DISTRACTED DRIVING ENFORCEMENT PROJECT GRANT APPLICATION TO NJDHTS

Resolutions No. 2014-54 through No. 2014-66 are appended to the official minutes.

Mayor DiNardo opened the Privilege of the Floor portion of the meeting. No one wished to speak and this portion was closed.

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Mr. Marion introduced Resolution No. 2014-67, entitled "AUTHORIZING SALARIES FOR TOWNSHIP EMPLOYEES", seconded by Mrs. Garafola and carried by unanimous roll call vote.

Resolution No. 2014-67 is appended to the official minutes.

Mr. Sordillo introduced Resolution No. 2014-68, entitled "APPOINTING CHRISTOPHER PENNISI TO THE WARREN TOWNSHIP POLICE DEPARTMENT", seconded by Mrs. Garafola and carried by unanimous roll call vote.

Mr. Lehrer noted that the decision is discretionary regarding vacating paper streets off Oak and Elm Avenues. Mr. Sordillo stated that there may be environmental concerns relative to ground water contamination. If the Township accepts the 11 acres offered by the developer, there could be a cost to the Township for abating the property. Lloyd Tubman, attorney for the developer, stated that the property would be tested. The Township does not have to accept the property. Mr. Marion stated that he is concerned about the residents in that area. Mrs. Garafola suggested the 11 acres be attached to the lots that would be developed. The governing body agreed that it would be best not to accept this property. There would be four lots developed. Mr. Krane noted that when the roads are constructed, they must meet Township requirements. Mr. Chadwick stated that the Planning Board needs to weigh in on the layout. Mayor DiNardo said that the Township Engineer will review. A cul-de-sac may be required.

Mr. Sordillo referred to a report done by Istope on Cell Towers. The Technology Committee has been reviewing alternatives and took the lead on this issue. The governing body will review in detail the report.

Mr. Krane spoke of the survey results regarding the construction of sewers in the area of Krausche Road and Geiger Lane. The results were very positive with a high percentage. The Tall Oaks area was low. The Township would like to see at least 60% positive results. The governing body agreed that the next step is to prepare agreements and if there is a 60% signing, then move forward.

The governing body agreed to the request from Pop Warner to accept a donation of \$13,000 from a donor for a sod practice field. The donor wants their name on a sign at the field. The County needs to be notified as well to accept the donation.

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Doug Buro, Superintendent of DPW and Mike Lovett, Assistant Superintendent were present to give an update on snow removal. The governing body commended them and the workers on the great job done with the many storms experienced with the amount of snow and ice.

Mrs. Garafola commended Mr. Krane on a great job with the budget preparation. Mr. Krane noted that the budget will be increased due to the many storms this year, the amount of materials used and the overtime that was necessary to get the job done. At the next meeting there will be more discussions and the Cap Law will be explained by Mr. Krane.

The Privilege of the Floor was opened. No one wished to speak and this portion was closed.

On motion of Mr. Sordillo, second of Mr. Marion, and unanimous voice vote, the meeting adjourned at 8:35 p.m.

Respectfully submitted,

Patricia A. DiRocco, RMC
Township Clerk